

ered.⁴⁶ In *Jackson v. Hodges*, 24 Md. 468, Jackson represented to his creditors that he was unable to pay more than fifty cents on the dollar of his debts, and upon a statement of his affairs induced them to accept a composition upon that basis, and to release their debts. He had at the time sufficient property to pay them in full. The period of limitation passed when the creditors discovered the fraud, and the Court annulled the releases, and set aside certain deeds by which he had attempted to cover up his property, the bill being filed within a few months after the discovery of the fraud. But although where fraud is imputed and proved lapse of time is not allowed to bar, the delay can only be excused where the fraud has been concealed from the party, *Browner v. Staup*, 21 Md. 337, and the *Chancellor affirmed in *McDowell v. Goldsmith*, 2 Md. 460 Ch. Dec. 370; S. C. 6 Md. 319, that no case could be found, in which relief was extended in equity, in opposition to the statute, on the ground of fraud, where the fact imputed as fraud was discovered by the party at a period beyond the time allowed by the Statute for the assertion of his rights, and, accordingly, a fraudulent grantee in a deed was allowed to plead limitations to the claims of creditors of the grantor against which the statute had run.

If by the act of one an injury occurs to the foundations of the house of another, of which the latter has not at the time any knowledge, but which afterwards exhibits itself by actual mischief to the house, he may maintain an action for damages, though more than the period of limitations has elapsed since the commission of the act which was in fact, though it was not known at the time, the origin of the mischief; the cause of action really accruing when the actual damage first showed itself; as where the plaintiff's house was damaged by the sinking of the soil within the six years, but the working of a mine which had occasioned the mischief had been discontinued for more than six years, *Backhouse v. Bonomi*, 9 H. L. Cas. 503.

II. Exceptions of Statute.—With respect to the exceptions of the Statute, it is well settled that a party is protected by the disability that exists at the time his right of action first accrued, because the case is within the express terms of the saving clause of the Statute.⁴⁷ For the same reason, if there are in existence several disabilities at the time the right of action accrues, the Statute does not begin to run till the party has survived them all. But it is firmly established that the operation of the statute cannot be prevented by cumulative disabilities, *Dugan v. Gittings*, 3 Gill, 138,⁴⁸

⁴⁶ *Wear v. Skinner*, 46 Md. 257. The doctrine is the same with regard to laches. *McConkey v. Cockey*, 69 Md. 292. Cf. *Keedy v. Nally*, 63 Md. 311.

⁴⁷ The fact that one is in doubt or ignorance of a right, or is mistaken as to the true ownership, or that there is difficulty in the way of asserting a right, does not prevent the running of the statute. Apart from the disabilities expressed in the statute itself there must, in order to defeat its operation, be some insuperable barrier or some certain well defined exception clearly established by judicial authority. *Weaver v. Leiman*, 52 Md. 718; *Wickes v. Wickes*, 98 Md. 333.

⁴⁸ *Carter v. Woolfork*, 71 Md. 292; *Wickes v. Wickes*, 98 Md. 326.